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UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

-----X
NATURAL RESOURCES DEFENSE COUNCIL, INC., :
:
:
Plaintiff, :
: 07 Civ. 5929 (WHP)
-against - :
:
UNITED STATES DEPARTMENT OF STATE, :
:
:
Defendant. :
-----X

NOTICE OF MOTION FOR SUMMARY JUDGMENT
PURSUANT TO RULE 56(c)

PLEASE TAKE NOTICE that upon the annexed declarations of Joanne Paskar, Margaret P. Grafeld, and Rebecca C. Martin (and accompanying exhibits), Defendant's Memorandum of Law in Support of Its Motion for Summary Judgment and in Opposition to Plaintiff's Motion for Summary Judgment, and upon all prior pleadings and proceedings herein, defendant U.S. Department of State, by its attorney, Michael J. Garcia, United States Attorney for the Southern District of New York, will move this Court, before the Honorable William H. Pauley, United States District Judge, 500 Pearl Street, New York, New York 10007, for an order granting summary

judgment in favor of defendant and dismissing the complaint in its entirety with prejudice, pursuant to Federal Rule of Civil Procedure 56(c).

PLEASE TAKE FURTHER NOTICE that, pursuant to the order of this Court, answering papers, if any, are due to be served upon counsel for the Government, United States Attorney's Office for the Southern District of New York, 86 Chambers Street, 3rd Floor, New York, New York, 10007, no later than April 4, 2008, and reply papers, if any, will be served no later than April 15, 2008.

Dated: New York, New York
March 14, 2008

MICHAEL J. GARCIA
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By: /s/
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